



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,229	03/31/2004	Karl Pfleger	0026-0073	3872
44989	7590	05/31/2007		
HARRITY SNYDER, LLP 11350 Random Hills Road SUITE 600 FAIRFAX, VA 22030			EXAMINER WOO, ISAAC M	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/813,229

**Applicant(s)**

PFLEGER, KARL

**Examiner**

Isaac M. Woo

**Art Unit**

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) 20-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 44-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to Applicant's Amendments on April 06, 2007 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1, 9, 11-12, 17, 19, 44, 50 and 53 are amended. Claims 20-43 are withdrawn. Claims 1-19 and 44-53 are presented for examination for this office action.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-19 and 44-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Hagiwara et al (U.S. Patent No. 6,904,427, hereinafter, "Hagiwara").

With respect to claim 1, Hagiwara teaches receiving one or more search queries (i.e., plurality of input in fig. 2B, col. 4, lines 20-45); searching stored data based on the one or more search-queries to generate results (27 in fig. 2B, col. 4, lines 20-67 to col. 5,

lines 1-23), wherein the results are orderable by one or more search characteristic (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-25); and providing a document that includes a multi-dimensional graph of the results of the search (fig. 9-14), at least one of the one or more search characteristics being represented as dimension on the multi-dimensional graph (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 2, Hagiwara teaches the results of the searching are sorted by relevance (col. 5, lines 9, lines 7-60).

With respect to claim 3, Hagiwara teaches the one or more search queries are inferred from actions taken by a user other than entering one or more explicit search queries (col. 7, lines 13-67 to col. 8, lines 1-67).

With respect to claim 4, Hagiwara teaches, wherein the actions taken by a user comprises the user's past browsing activity (col. 7, lines 13-67 to col. 8, lines 1-67).

With respect to claim 5, Hagiwara teaches the one or more search queries are selected from a list of multiple search queries (col. 7, lines 13-67 to col. 8, lines 1-67).

With respect to claim 6, Hagiwara teaches a representation of each of the results on the multi-dimensional graph occupies substantially more than a point (col. 7, lines 13-67 to col. 8, lines 1-67).

With respect to claim 7, Hagiwara teaches the result is represented on the multi-dimensional graph as at least one of an icon, text, or an image (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 8, Hagiwara teaches a second dimension of the multi-dimensional graph comprises relevance (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 9, Hagiwara teaches, the at least one search characteristics comprise one of recency, price, dates, image quality, image size or geographic distance (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 10, Hagiwara teaches the multi-dimensional graph comprises a two-dimensional graph (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 11, Hagiwara teaches a scaling of an axis corresponding to the at least one dimension is non-linear (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 12, Hagiwara teaches at least a portion of the axis corresponding to the at least one dimension comprises a logarithmic scale (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 13, Hagiwara teaches none of the dimensions of the multidimensional graphic corresponds to relevance (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 14, Hagiwara teaches receiving user input to selectively alter a resolution of a dimension of the multi-dimensional graph (col. 4, lines 20-45).

With respect to claim 15, Hagiwara teaches a visual representation on the multi-dimensional graph and wherein a size associated with each of the representations is varied based on a relevance associated with each of the results (col. 7, lines 13-67).

With respect to claim 16, Hagiwara teaches a fixed number of results are displayed on each page of the document (col. 7, lines 13-67).

With respect to claim 17, Hagiwara teaches a visual representation of the multi-dimensional graph and wherein respective visual representations may visually overlap one another (col. 7, lines 13-67).

With respect to claim 18, Hagiwara teaches respective visual representations may visually overlap one another based on relevance. (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 19, Hagiwara teaches receive one or more search queries (i.e., plurality of input in fig. 2B, col. 4, lines 20-45); search stored data based on the one or more search queries to generate results (27 in fig. 2B, col. 4, lines 20-67 to col. 5, lines 1-23), wherein the results are orderable by one or more search characteristic, (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-25) provide a document that includes a multi-dimensional graph of the results of the search with at least one of the one or more search characteristics being represented as a dimension on the multi-dimensional graph (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60) and wherein each of the results is represented on the multi-dimensional graph as at least one of an icon, text, or an image (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 44, Hagiwara teaches receiving one or more search queries (i.e., plurality of input in fig. 2B, col. 4, lines 20-45); searching stored data based on the one or more search queries to generate results (27 in fig. 2B, col. 4, lines 20-67 to col. 5, lines 1-23), wherein the results are orderable using multiple search characteristic (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-25), generating an output, corresponding to the results of the search (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-

67 to col. 9, lines 1-60), that includes multiple dimensions with each of the multiple search characteristics corresponding to a different dimension of the multiple dimensions of the output (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 45, Hagiwara teaches the results of the searching are sorted by relevance (fig. 2B, col. 4, lines 20-67 to col. 5, lines 1-23).

With respect to claim 46, Hagiwara teaches the one or more search queries are inferred from actions taken by a user other than entering one or more explicit search queries (col. 4, lines 20-45).

With respect to claim 47, Hagiwara teaches actions taken by a user comprise the user's past browsing activity (col. 4, lines 20-45).

With respect to claim 48, Hagiwara teaches the one or more search queries are selected from a list of multiple search queries (col. 4, lines 20-45).

With respect to claim 49, Hagiwara teaches one dimension of the multiple dimensions comprises relevance (col. 4, lines 20-45).

With respect to claim 50, Hagiwara teaches one of recency, price, dates, image size or geographic distance (col. 4, lines 20-67 to col. 5, lines 1-23).



With respect to claim 51, Hagiwara teaches the multiple dimensions comprises two dimensions (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 52, Hagiwara teaches none of the multiple dimensions of the output corresponds to relevance (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

With respect to claim 53, hagiwara teaches receiving one or more search queries (i.e., plurality of input in fig. 2B, col. 4, lines 20-45); searching stored data based on the one or more search queries to generate results (27 in fig. 2B, col. 4, lines 20-67 to col. 5, lines 1-23), wherein the results are orderable using multiple search characteristic (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-25), and generating output data that corresponds to the results of the search (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60), wherein the output data includes multi-dimensions with each of the multiple search characteristics corresponding to a different dimension of the multiple dimensions (fig. 9-14, col. 7, lines 13-67 to col. 8, lines 1-67 to col. 9, lines 1-60).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Isaac Woo  
May 25, 2007